

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

2/27/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CRIMINAL 05-00113JMS-01 & 02

CASE NAME: United States of America vs. Yong Kim-01
United States of America vs. Y.K.B., Inc. dba Brudda's
Market -02

ATTYS FOR PLA: Michael K. Kawahara

ATTYS FOR DEFT: William A. Harrison

INTERPRETER: Susan Wehrman

U.S.P.O.: Anne M. Shimokawa

JUDGE: J. Michael Seabright

REPORTER: Sharon Ross

DATE: 2/27/2006

TIME: 10:20 - 10:55

COURT ACTION: Sentencing to the Information as to defendants -01 Yong Kim and -02 Y.K.B., Inc., dba "Brudda's Market":

Defendant Yong Kim present with counsel William Harrison.

Memorandum of Plea Agreement accepted.

Allocution by the defendant.

Probation 3 years as to each of Count 1 of CR 04-00041JMS-02 and Count 1 of CR 05-00113JMS-02, to run concurrently under the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).

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3. That the fine of \$32,000 is due immediately and any remaining balance upon release from confinement be paid during the period of supervision on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of her monthly gross income. Interest is waived while the defendant is serving her term of imprisonment and shall commence to accrue on any remaining balance upon her release on supervision.
4. That the defendant corporation provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any financial information to include submitting to periodic debtor's examinations as directed by the Probation Office within 30 days if the fine is not paid in full.
5. That the defendant corporation shall submit its place of business or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

Special Monetary Assessment \$800.

Advised of rights to appeal.

Governments Oral Motion to Dismiss Count 2 GRANTED as to CR 04-00041JMS-01 Yong Kim, and -02 Y.K.B. , Inc., dba Brudda's Market.

Submitted by: Dottie Miwa, Courtroom Manager